

Panama Canal Regulations

§ 103.5

their ships' agent as soon as practicable after arrival.

(Approved by the Office of Management and Budget under control number 3207-0001)

[31 FR 12289, Sept. 16, 1966, as amended at 54 FR 29336, July 12, 1989]

§ 103.2 Denial of passage to dangerous vessel.

The Canal authorities may deny any vessel passage through the Canal when the character or condition of the cargo, hull, or machinery is such as to endanger the structures pertaining to the Canal, or which might render the vessel liable to obstruct the Canal, or whose draft, at any part of the vessel, exceeds the maximum allowable draft in the Canal as designated from time to time by the Canal authorities.

[31 FR 12289, Sept. 16, 1966]

§ 103.3 Discovery of defect in vessel during transit or while under way.

Upon the discovery during transit of the Canal, or at any time while under way, of any defect in a vessel of such serious nature that it might interfere with further passage or with her safe navigation, the vessel shall stop and, if practicable, be anchored or moored at the first available place. A full report shall be made immediately to the Canal Operations Captain or his designee by radio or by the best means available.

[46 FR 63176, Dec. 30, 1981; 47 FR 54072, Dec. 1, 1982, as amended at 55 FR 11908, Mar. 30, 1990]

§ 103.4 Load and trim.

(a) A vessel shall not be permitted to transit the Canal if she:

(1) Has a list of more than 10 degrees;

(2) Is so tender or otherwise so loaded as to dangerously affect her stability or maneuverability; or

(3) Is so trimmed as to dangerously affect her maneuverability.

(b) A vessel having a list of between 3 degrees and 10 degrees, or which is so loaded or so trimmed as to adversely affect her maneuverability, may be permitted to transit at the discretion of the Canal Operations Captain or his designee. If such vessel is allowed to transit, however, it may do so only at its own risk and, to the extent and in the proportion that such failure to

meet the requirements of this section proximately causes or contributes to a casualty and resulting damages, the Master of such vessel on behalf of said vessel, her owners, operators, or any other persons having any interest in her, and for himself, will be considered to have released the Panama Canal Commission and the United States from, and to have indemnified them against, any loss, damage, or liability incurred by the Commission, or the United States under or in respect to:

(1) Sections 1411 through 1416, inclusive, of Pub. L. 96-70, 93 Stat. 485-87.

(2) Property of the Panama Canal Commission or the United States; and

(3) Panama Canal Commission employees under the Federal Employees' Compensation Act, 5 U.S.C. 8101, *et seq.*, or any other employee compensation system.

The Master of the vessel that fails to meet the requirements of this section may be required to execute, in the presence of a Commission official, a form undertaking to release the Panama Canal Commission and the United States from liability in case of an accident and to indemnify the Commission and the United States for any damages sustained. The failure of the Master of a vessel to sign such a form, however, will not relieve the vessel, her owners, or any other person having an interest in her from liability incurred as a result of the vessel's failure to meet the requirements of this section.

(c) Nothing shall be done, or permitted to be done, by the Master or any member of the crew, which would alter the trim or draft of a vessel while it is transiting the Canal, without the prior, express approval of the pilot.

[31 FR 12289, Sept. 16, 1966, as amended at 46 FR 63177, Dec. 30, 1981; 55 FR 11908, Mar. 30, 1990]

CROSS REFERENCE: Federal Employees' Compensation Act, see 5 U.S.C. 8102 *et seq.*

§ 103.5 Deck load.

(a) A vessel carrying a deck load shall have it so stowed as to be sufficiently clear to provide safe working space around all chocks, bitts, and other gear used in transiting and so arranged as to not obstruct any direct lead from chocks to bitts.